

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>SHELDON LEE MORRIS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 22-1278</b>
	)	
<b>PENNSYLVANIA DEPARTMENT OF</b>	)	
<b>CORRECTIONS (DOC), M. ZAKEN,</b>	)	
<b>S. McCracken, LT. GAGNON,</b>	)	
<b>ONDIRKO, LT. SAM NAPOLEON,</b>	)	
<b>M. ANDRETTI, KERI MOORE,</b>	)	
<b>J. ANKROM, CO ANDERSON, and</b>	)	
<b>LT. H. PAWLOSKI,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM ORDER**

Sheldon Lee Morris filed this pro se action alleging various state and federal claims against prison officials. This case was referred to Magistrate Judge Maureen P. Kelly in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Civil Rules 72.C and D. Magistrate Judge Kelly reviewed the Complaint pursuant to 28 U.S.C. § 1915(e). On January 5, 2023, Judge Kelly issued a Report and Recommendation, recommending that Mr. Morris's Complaint be dismissed *sua sponte* pursuant to section 1915(e)(2)(B) and recommending that Mr. Morris be permitted leave to amend certain claims. ECF No. 9. Mr. Morris had until January 23, 2023 to file Objections to the Report and Recommendation, which deadline was extended to February 23, 2023. ECF No. 11. Mr. Morris did not file Objections. After *de novo* review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 20th day of March 2023,

IT IS ORDERED as follows:

The Report and Recommendation (ECF No.9) filed on January 5, 2023, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the Complaint in this matter (ECF No. 5) is hereby DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B), as explained in detail in the Magistrate's Report.

Plaintiff Sheldon Lee Morris is granted leave to file an amended complaint limited to the following:

- his claims with respect to the misconduct report issued by Defendant Pawloski;
- his Eighth Amendment claims regarding his allegedly unsanitary food tray and lack of utensils; and
- his federal and state claims with respect to the strip search by Defendant Gagnon.

All other claims raised in the Complaint, ECF No. 5, are hereby DISMISSED with prejudice.

Plaintiff's Amended Complaint is due by May 1, 2023. If no amended complaint is filed by May 1, 2023, this Order dismissing the Complaint will become final and this case will be closed.

s/Marilyn J. Horan  
Marilyn J. Horan  
United States District Court Judge

cc: Sheldon L. Morris, pro se  
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